

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF  
THE OFFICE OF THE GOVERNOR

The Office of the Governor proposes to adopt regulation changes in Title 6 of the Alaska Administrative Code, dealing with the Western Alaska Community Development Quota Program, including the following:

1. 6 AAC 93.012 is proposed to be changed as follows: update the version of 50 C.F.R. 679 to be referenced in other sections of 6 AAC 93.
2. 6 AAC 93.015 is proposed to be changed as follows: change the personnel who comprise the CDQ team, provide for the designation of a CDQ manager, and define the term “eligible community.”
3. 6 AAC 93.017 is proposed to be changed by deleting the program standards relating to due diligence, financial returns, risks, furthering of goals and purpose, and promotion of conservation-based fisheries.
4. 6 AAC 93.025 is proposed to be changed as follows: change the requirements for submitting a proposed community development plan, including the contents of a submitted plan; delete a definition of the term “eligible community;” and delete references to core and noncore projects.
5. 6 AAC 93.035 is proposed to be changed as follows: eliminate the requirements that a public hearing must be transcribed and that a transcript of the hearing will be made available to the public and the National Marine Fisheries Service; provide that a copy of the recording of the hearing, and a copy of the transcript if one is prepared, will be available to the public upon request.
6. 6 AAC 93.040 is proposed to be changed as follows: change the section heading; change the way the CDQ team evaluates proposed community development plans, including the deletion of factors to be considered; and allow a request for reconsideration of recommendations involving CDPs and allocations.
7. 6 AAC 93.042 is proposed to be added as a new section. The intended effect of this new section is to provide criteria the governor may consider in apportioning quota allocations and provide weighting criteria the governor may use in making those decisions.
8. 6 AAC 93.050 is proposed to be changed as follows: change the section heading; delete the requirement for a CDQ group to submit quarterly reports to the CDQ team; change the requirements for the submission of annual reports to the CDQ team by a CDQ group, including the contents of the report, the reporting period, and the time for reporting; expand requirements for audits of reports; require a CDQ group to submit an annual report of its nonprofit corporation’s activities to residents of its participating communities and to the CDQ team; establish requirements for the contents of the annual report of the nonprofit corporation’s activities, including tax returns from the corporation and its affiliates as well as other financial information, information on officers and directors, corporate structure and activities, and relationships among the corporation, its officers and directors and other persons and entities; and establish a reporting period and a time for reporting.
9. 6 AAC 93.055 is proposed to be changed as follows: change the requirements for submitting requested amendments to an existing community development plan, change the procedure for processing those requests, change the instances in which a substantial amendment is required, and delete requirements relating to noncore technical amendments.
10. 6 AAC 93.057, which sets forth a procedure for reclassifying core and noncore CDQ projects, is proposed to be repealed. The intended effect of this repeal is to eliminate the distinction between projects and to eliminate any need to reclassify projects.

11. 6 AAC 93.070 is proposed to be changed as follows: change the section heading, change the procedure for requesting and ruling on confidentiality of information, change the nature of the information that may be protected, and change the persons or entities that may be given confidential records.
12. 6 AAC 93.090 is proposed to be changed as follows: provide for reconsideration of recommendations involving CDPs and allocations and make changes to the procedures for processing requests for reconsideration.
13. 6 AAC 93.900 is proposed to be changed as follows: change or delete definitions of some terms (core CDQ project, fisheries-related, noncore CDQ project, substantial variation) and add definitions of other terms (affiliate, applicant, audit, CDQ group, CDQ project, CDQ region, community development plan, engagement letter, family member, financial statements, fisheries-related matters, independent public accountant, investment, participating community, PSQ, resident, resident fisherman, state, temporary job).
14. 6 AAC 93 is proposed to be changed as follows: correct the citations to authority for all sections of 6 AAC 93 listed above.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Greg Cashen, Program Manager, Western Alaska Community Development Quota Program at P.O. Box 110807 Juneau, AK 99811-0807. The comments must be received no later than 4:30 p.m. on January 6, 2006.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Otis Chapman at (907) 465-2523 no later than December 26, 2005 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Otis Chapman at (907) 465-2523, or go to [www.commerce.state.ak.us/bsc/CDQ/cdq.htm](http://www.commerce.state.ak.us/bsc/CDQ/cdq.htm).

After the public comment period ends, the Office of the Governor will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

**Statutory Authority:** AS 44.33.020(11)

**Constitutional Authority:** Art. III, sec. 1, Ak Const., Art. III, sec. 24, Ak Const.

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 44.33.020(11)

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: November 23, 2005

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Mark R. Davis, Director  
Division of Banking and Securities